

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Ordinance

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the 18th day of July, 2006:

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<u>Present</u>	<u>Vote</u>
Walter C. Zaremba, Chairman	Yea
Kenneth L. Bowman, Vice Chairman	Yea
Sheila S. Noll	Yea
James S. Burgett	Yea
Thomas G. Shepperd, Jr.	Yea

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On motion of Mr. Shepperd, which carried 5:0, the following ordinance was adopted:

AN ORDINANCE TO APPROVE APPLICATION NO. ZT102-06 TO AMEND SECTION 24.1-104, DEFINITIONS, SECTION 24.1-306, TABLE OF LAND USES, SECTIONS 24.1-483 AND 484, AND SECTION 24.1-606(n) OF CHAPTER 24.1, ZONING (YORK COUNTY CODE); TO REVISE THE DEFINITION OF THE TERM "MINI-WAREHOUSE"; TO REVISE THE DISTRICTS IN WHICH SUCH USES MAY BE PERMITTED AND THE PERFORMANCE STANDARDS APPLICABLE THERETO AND, TO REVISE THE PARKING STANDARDS FOR SUCH USES; TO AMEND SECTION 24.1-261(a) TO REVISE THE SCREENING STANDARDS FOR DUMPSTERS TO REQUIRE SCREENING ON ALL FOUR SIDES; AND, FURTHERMORE, TO ESTABLISH A NEW SECTION 24.1-608 TO DEFINE CONDITIONS AND REQUIREMENTS APPLICABLE TO DISPLAY AND SALE OF PRIVATE VEHICLES FROM OCCUPIED AND UNOCCUPIED PROPERTIES

WHEREAS, Application No. ZT102-06 has been sponsored by the Board of Supervisors to allow consideration of amendments concerning mini-storage warehouse facilities, design standards for dumpster enclosures, and provisions relating to the parking and display "for sale" of privately owned vehicles; and

WHEREAS, the application has been forwarded to the Planning Commission for review, public hearing and recommendation in accordance with applicable procedures; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing and has recommended approval of the application; and

WHEREAS, the Board has conducted a duly advertised public hearing and has carefully considered the recommendations of the Planning Commission and the comments and recommendation received from citizens and the staff; and

WHEREAS, the Board has determined that the proposed amendments would be consistent with good zoning practice;

NOW, THERFORE, BE IT ORDAINED by the York County Board of Supervisors, this the 18th day of July, 2006, that it does hereby approve Application No. ZT102-06 to amend Sections 24.1-104, 261, 306, 483, 484 and 606(n) of the Zoning Ordinance, and to establish a new Section 24.1-608, all to read as set forth below:

### Regarding Mini-Warehouses:

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### Section 24.1-104. Definitions

*Mini-storage warehouse.* A type of warehousing consisting of individual, small, self-contained storage spaces which may be owned, leased, or rented to individuals. Such facilities may also be known as self-storage warehouses. For the purposes of this chapter, the two types of mini-storage warehouse/self-storage facilities are:

- *Single-story:* Facilities in which the storage units/cubicles typically are arranged in long, narrow single-story buildings with the majority of the individual units accessed through doors that open directly to the outside.
- *Multi-story:* Facilities in which the storage units are arranged in a multi-story structure with all of the individual storage units/cubicles accessed through doors that open to interior corridors.

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### Section 24.1-306. Table of Land Uses

P=PERMITTED USE S=PERMITTED BY SPECIAL USE PERMIT  <
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3. Wholesale Trade Establishment (May Include accessory retail sales) a) without outdoor storage									P		P	P	P
									S		S	P	P
4. Seafood Receiving, Packing, Storage										P		S	P
5. Petroleum Products Bulk Storage/Retail Distribution												S	P
6. Mini-Storage Warehouses a. Single-story												P	P
									S			P	P

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**Sec. 24.1-483. Standards for all wholesaling and warehouse uses.**

- (a) Warehouses and similar structures of thirty thousand (30,000) square feet or greater shall have fire lanes surrounding the structure(s) unless approved otherwise by the director of public safety.
- (b) Outdoor storage shall be screened from view from adjacent residential properties.
- (c) Outdoor storage shall not be located closer than twenty-five feet (25') to any property line.
- (d) Bay doors shall be oriented away from streets and residential properties or screened from direct view by landscaping means.
- (e) Such uses shall be designed to minimize the noise impact of trucks, forklifts, and other heavy equipment on adjacent properties and to prevent such noise from being audible on adjacent or nearby residential properties at any greater level than typical for residential areas.

**Sec. 24.1-484. Standards for mini-storage warehouses.**

- (a) All storage for mini-storage warehouses shall be within a completely enclosed building, provided, however, that the outdoor accessory storage of recreational vehicles on the same site is acceptable if such storage is screened from view from adjacent streets and residential properties. However, no outdoor RV storage or parking shall be permitted in conjunction with any mini-warehouse facility located in a GB-General Business zoning district.
- (b) Loading docks shall not be permitted as part of the storage buildings. At least two exterior service doors shall be provided for any multi-story mini-warehouse facility. Such doors shall be at ground/sidewalk level. Exterior service doors for any multi-story mini-warehouse facility in a GB District shall not be located

on any building exposure facing a public street and shall be limited to a maximum of one (1) each for other facades.

- (c) Except for purposes of loading and unloading, there shall be no parking or storage of trucks, trailers, and moving vans.
- (d) The minimum distance between warehouse buildings shall be twenty feet (20'). Where vehicular circulation lanes and parking and loading spaces are to be provided between structures, the minimum separation distance shall be increased accordingly in order to ensure vehicular and pedestrian safety and adequate emergency access.
- (e) No activities such as sales or servicing of goods or materials shall be conducted from such storage units. The operation of such a facility shall in no way be deemed to include a transfer and storage business where the use of vehicles is a part of such business.
- (f) Storage of hazardous and flammable materials shall not be permitted.
- (g) The maximum length of any single single-story mini-storage building shall be two hundred (200') feet.
- (h) If proposed in the GB-General Business district, multi-story mini-storage warehouse structures shall be designed to include retail or office space occupying at least 80% of the total floor area on the ground floor of the structure and not related to the mini-warehouse operation. Such retail and or office space shall be designed to occupy the entire first floor width of any building façade facing a public street. The remaining 20% of the first level floor area may include the entrance corridors, service elevator(s), manager's office and other non-storage components associated with the self-storage units located on the upper levels of the structure.

In the GB District, all building facades of multi-story mini-storage warehouse structures shall be designed and constructed to meet the architectural design standards specified for the Route 17 Corridor Overlay District (section 24.1-378), whether or not said structure is located in the Route 17 overlay area. Consideration should be given to incorporating faux windows in the street-facing facades of the upper level storage areas to give the appearance of office space provided, however, that other appropriate design techniques may also be proposed and considered.

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**Section 24.1-606(n) Category 14 – Wholesaling/Warehousing**

USE	OFF-STREET	OFF-STREET LOADING
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	<b>PARKING SPACES</b>	<b>SPACES</b>
(1) Seafood receiving, packing, storage	One (1) space for every 500 square feet of processing or office area	One space; plus One space per loading bay or dock
(2) Mini-storage warehouses	One (1) space for each twenty (20) cubicles; plus Two (2) spaces for the manager's quarters; plus Two (2) spaces for the office.	None
(3) Warehousing, distributing, or wholesale trade establishment and all other Category 14 uses	One (1) space for each 10,000 square feet of floor area; plus One (1) space for each 350 square feet of office, sales or similar space; or, subject to appropriate documentation and approval of the zoning administrator, one and one-third (1.3) spaces for every employee on the largest shift.	One space; plus One (1) space per loading bay or dock

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**Regarding Dumpster Screening Requirements, amend Section 24.1-261 as follows:**

**Sec. 24.1-261. Public service facility standards.**

- (a) *Refuse and recyclables collection.* Dumpsters, or an alternate method of collection for recyclables and for nonrecyclable refuse approved by the zoning administrator, shall be required for mobile home parks and for multi-family, commercial and industrial developments. The following standards shall apply:
- (1) Dumpsters or other approved collection receptacles shall be located on a site so that service vehicles will have convenient and unobstructed access to them. The location shall be such that encroachment by service vehicles upon bicycle and pedestrian ways, parking spaces, or vehicular circulation drives will be minimized. Dumpsters shall not be located closer than fifty feet (50') to any residential structure.
  - (2) Dumpsters or other approved collection receptacles shall be screened from both on-site and off-site views by wooden or masonry fencing, supplemented by landscaping. Building walls may serve as part of the required screening. The enclosure shall be gated or otherwise configured to ensure that the dumpster is not visible from any adjoining public rights-of-way, adjoining properties or from any areas on the site which are normally accessible by residents, customers or the general public.
  - (3) Where dumpsters are to be utilized, dumpster pads, constructed in accordance with all applicable health department standards for construction and drainage, shall be provided.

**Regarding private motor vehicle sales from various types of property, create a new Section 24.1-608 as follows:**

**24.1-608. Parking for certain purposes permitted and prohibited.**

The following provisions shall apply to the parking or placement of automobiles, trucks, trailers, recreational vehicles, motorcycles, boats, tractors, heavy construction equipment or other types of motorized vehicle or equipment with the intent to offer such vehicles or equipment for sale or rent. For the purposes of this section, the presence of signs, lettering, papers, flyers or other visible advertisement or information on or within the vehicle indicating it to be for sale or rent shall be deemed evidence of such intent.

- (a) It shall be unlawful for any person to park or place any such vehicle for sale or rent upon or in any street or street right-of-way.
- (b) The owner or occupant of a parcel on which an occupied commercial or industrial structure is located may park an automobile, light-duty truck, recreational vehicle or trailer, boat or cargo trailer on the property for the purpose of selling or offering the vehicle for sale, provided that:
  - (1) The vehicle is owned by the owner or occupant of the property, or a member of the owner/occupant's immediate family. For the purposes of this section, the term "immediate family" shall be deemed to include natural or legally defined offspring or parents or grandparents of the owner or occupant of the premises.
  - (2) The vehicle is parked on a paved or graveled parking space on the property, and shall not be parked on grassed or landscaped portions of the property.
  - (3) Any signs or lettering advertising the vehicle to be "for sale" shall be attached to or applied to the vehicle and shall not exceed six (6) square feet in area.
  - (4) Not more than two (2) vehicles shall be parked or displayed "for sale" at any time and not more than five (5) vehicles may be parked or displayed "for sale" on any premises within the same calendar year.
  - (5) In the event the commercial or industrial use occupying the property is authorized to include the on-premises parking or storage of heavy construction equipment, large trucks, and similar vehicles/equipment, the above-noted limitation to "light-duty trucks" shall be waived.
- (c) Parking of vehicles or equipment for sale or rent on undeveloped or vacant property, or on property on which the principal structure(s) are unoccupied, shall be prohibited.

- (d) Violations of the terms of this section shall be enforceable against the owner of the property and the owner of the vehicle.
- (e) The provisions of this section shall not be deemed to prohibit the sale or rental of vehicles or equipment when conducted from a site which has been authorized, pursuant to the terms of this chapter, for the conduct of vehicle or equipment sales/rental as a principal use of the property.

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Mary E. Simmons  
Deputy Clerk